

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mamoru USAMI et al. Group Art Unit: 4111
Appln. No. : 10/528,778 Examiner: Robert J. GRUN
(U.S. National Stage of PCT/JP03/011941)
I.A. Filed : September 18, 2003 Confirmation No. : 4730
For : METHOD OF MANUFACTURING AN OPTICAL RECORDING MEDIUM
AND OPTICAL RECORDING MEDIUM MANUFACTURING APPARATUS

ELECTION WITH TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Examiner's restriction requirement of September 3, 2008, the time set for response being set to October 3, 2008, Applicants hereby elect the invention of Invention I, including claims 1-7. The above election is made with traverse for the reasons set forth hereinbelow.

In the Official Action of September 3, the Examiner indicated that all claims (1-14) were subject to restriction under 35 U.S.C. § 121. The Examiner restricted the claimed invention into Invention I, claims 1-7, drawn to a method for making an optical recording medium, and Invention II, claims 8-14, drawn to an apparatus for making an optical recording medium.

Applicants note that this application is a national stage application, and therefore under unity of invention practice the Examiner must establish that the claims lack unity of invention under PCT Rule 13.1 and 37 C.F.R. 1.475.